

Certificate of Mailing

"Certificate of Express Mail" mailing label number EV 332 010 838 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Mail Stop: Patent Application, Commissioner, P.O. Box 1450, Alexandria, VA 22313-1450 on September 9, 2003.

By:  Printed: Lyza Finuliar

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Bandman et al.**

Title: **NOVEL HUMAN MAGE-LIKE PROTEIN**

Serial No.: **To Be Assigned**

Filing Date: **Herewith**

Examiner: **To Be Assigned**

Group Art Unit: **To Be Assigned**

---

Mail Stop: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

**Docket No.: PF-0179-2 DIV**

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

INCYTE CORPORATION

Date: September 9, 2003

Barrie D. Greene

Barrie D. Greene

Reg. No. 46,740

Direct Dial Telephone: (650) 621-7576

Customer No.: 27904  
3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166

U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.	
				PF-0179-2 DIV		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS				Applicant			
(Use several sheets if necessary)				Bandman et al.			
				Filing Date		Group	
				Herewith		To Be Assigned	
U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	21	4,889,806	12/26/89	Olson et al.			
Foreign Patent Documents							
							Translation
		Document	Date	Country	Class	Subclass	Yes No
	20	WO 92/20356	26 NOV 92	PCT			
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	1	Van der Bruggen, P et al., "A gene encoding an antigen recognized by cytolytic T lymphocytes on a human melanoma" <u>Science</u> 254:1643-1647 (1991)					
	2	Chen, YT et al., "Identification of the MAGE-1 gene product by monoclonal and polyclonal antibodies" <u>Proc Natl Acad Sci USA</u> 91(3):1004-1008 (1994)					
	3	De Plaen, E et al., "Structure, chromosomal localization, and expression of 12 genes of the MAGE family" <u>Immunogenetics</u> 40:360-369 (1994)					
	4	Wang, MG et al., "Localization of the MAGE1 gene encoding a human melanoma antigen to chromosome Xq28" <u>Cytogenet Cell Genet</u> 67(2):116-119 (1994) (Accession G533511)					
	5	Mori, M et al., "Expression of MAGE genes in human colorectal carcinoma" <u>Ann Surg</u> 224:183-188 (1996)					
	6	Sakata, M., "Expression of MAGE gene family in lung cancers" <u>Kurume Med J</u> 43:55-61 (1996) (Accession G1040691)					
	7	Yamada, A et al., "Expression of MAGE-1, MAGE-2, MAGE-3/-6 and MAGE-4a/-4b genes in ovarian tumors" <u>Int J Cancer</u> 64:388-393 (1995)					
	8	Zakut, R et al., "Differential expression of MAGE1, -2, and -3 messenger RNA in transformed and normal human cell lines" <u>Cancer Res</u> 53:5-8 (1993)					
	9	De Smet, C et al., "The activation of human gene MAGE-1 in tumor cells is correlated with genome-wide demethylation" <u>Proc. Natl. Acad. Sci. U.S.A.</u> 93:7149-7153 (1996)					
	10	Maruyama, K et al., "A novel brain-specific mRNA encoding nuclear protein (necdin) expressed in neurally differentiated embryonal carcinoma cells" <u>Biochem Biophys Res Commun</u> 178:291-296 (1991)					
Examiner			Date Considered				
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

11	Uetsuki, T et al., "Structure and Expression of the Mouse Necdin Gene" <u>J. Biol. Chem.</u> 271(2):918-924 (1996)
12	Aizawa, T et al., "Expression of necdin, an embryonal carcinoma-derived nuclear protein, in developing mouse brain" <u>Brain Res Dev Brain Res</u> 68(2):265-274 (1992)
13	Hayashi, Y et al., "Arrest of cell growth by necdin, a nuclear protein expressed in postmitotic neurons" <u>Biochem Biophys Res Commun</u> 213(1):317-324 (1995)
14	Traversari, C et al., "A nonapeptide encoded by human gene MAGE-1 is recognized on HLA-A1 by cytolytic T lymphocytes directed against tumor antigen MZ2-E" <u>J Exp Med</u> 176:1453-1457 (1992)
15	Hu, X et al., "Enhancement of cytolytic T lymphocyte precursor frequency in melanoma patients following immunization with the MAGE-1 peptide loaded antigen presenting cell-based vaccine" <u>Cancer Res.</u> 56:2479-2483 (1996)
16	Muscatelli, F et al., "Isolation and characterization of a MAGE gene family in the Xp21.3 region" <u>Proc Natl Acad Sci USA</u> 92(11):4987-4991 (1995) (Accession G608993)
17	De Backer, O et al., "Structure, Chromosomal Location, and Expression Pattern of Three Mouse Genes Homologous to the Human MAGE Genes" <u>Genomics</u> 28:74-83 (1995) (Accession G1165170)
18	Jiang, HP and Serrero, G., "Isolation and characterization of a full-length cDNA coding for an adipose differentiation-related protein" <u>Proc Natl Acad Sci USA</u> 89(17):7856-7860 (1992)
19	DATABASE EMBL- EMBEST6 Entry HS272362, Acc. No. W79272, 27 June 1996 HILLIER, L. ET AL.: "zd75e03.rl Soares fetal heart NbHH19W Homo sapiens cDNA clone 346492 5' similar to SW:NECD_MOUSE P25233 NECDIN." XP002061123
22	Burgess et al., (J. Cell Biol.), 111:2129-2138
23	Lazar et al., (Mol. Cell. Biol.), 8:1247-1252
24	Talo et al., (J. Immunol.), 143:2595-2601
25	Sambrook, et al., (Molecular Cloning, A Laboratory Manual), 2nd Ed., Cold Spring Harbor Press, Cold Spring Harbor, p. 16.3-16.4
26	Johnson, D et al., "Molecular characterization of CDC42, a Saccharomyces cerevisiae gene involved in the development of cell polarity" <u>The Journal of Cell Biology</u> Vol. 111, July 1990 143-152.
27	Johnstone and Thorpe (Immunocytochemistry in Practice, Black2311 Scientific Publications, Oxford, pgs 49-50). 1987
28	Sander et al., (Nucleic Acids Research, 19:4523-4529). 1991
Examiner	Date Considered
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation of not in conformance and not considered. Include copy of this form with your communication to applicant.</p>	